



S&H Form: (04/06)
Attorney Docket No. 21.1997-C

AFS
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Susumu KINOSHITA et al.

Application No.: 10/647,321

Group Art Unit: 3663

Filed: August 26, 2003

Examiner: Ari M Diacou

For: OPTICAL AMPLIFICATION METHOD AND DEVICE USABLE WITH BANDS OTHER THAN THE C-BAND

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: After Final

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed April 23, 2007 finally rejecting claims 35-39, 41-42, 44, and 46-48.

The items checked below are appropriate:

1. EXTENSION OF TIME PETITION AND FEE

Attached is a petition for a one-month extension of time for reply to the final rejection. \$ 120.00

2. APPEAL FEE

Other than a small entity 500.00

TOTAL FEE \$ 620.00

08/24/2007 MAHMED1 00000166 10647321

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500.00 0P

3. PAYMENT

Check attached for the total fee of \$ 620.00.

Charge Account 19-3935 for any fee deficiency.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 8-23-07

By:



Aaron C. Walker
Registration No. 59,921

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501